



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

Northeast Regional Office • 205B Lowell Street, Wilmington MA 01887 • 978-694-3200

DEVAL L. PATRICK  
Governor

RICHARD K. SULLIVAN JR.  
Secretary

KENNETH L. KIMMELL  
Commissioner

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January 30, 2014

Mr. Scott G. Silverstein  
Footprint Power Salem Harbor  
Development LP  
1140 Route 22 East, Suite 303  
Bridgewater, NJ 08807

**RE: SALEM**  
Transmittal No.: X254064  
Application No.: NE-12-022  
Class: OP119  
FMF No.: 546374

### **AIR QUALITY PLAN APPROVAL**

310 CMR 7.02  
310 CMR 7.00: Appendix A  
Including Section 61 Findings

### **PREVENTION OF SIGNIFICANT DETERIORATION PERMIT**

40 CFR 52.21

Dear Mr. Silverstein:

Footprint Power Salem Harbor Development LP (Footprint) has proposed the construction and operation of a new, natural gas-fired, quick-start 630 megawatt (MW) nominal (692 MW with duct firing) combined cycle electric generating facility (the proposed Facility) at 24 Fort Avenue in Salem, Massachusetts. The Massachusetts Department of Environmental Protection (MassDEP), Bureau of Waste Prevention, has reviewed your Application identified as Transmittal No. X254064, Application No. NE-12-022 and determined that the Application is administratively and technically complete.

MassDEP hereby approves the construction and operation of the proposed Facility, subject to the conditions set forth in the attached documents. Enclosed please find the: (1) Plan Approval; (2) Prevention of Significant Deterioration (PSD) Permit; (3) PSD Permit Fact Sheet; and (4) Response to Public Comments. These documents can also be accessed electronically at: <http://www.mass.gov/eea/agencies/massdep/air/approvals/footprint.html>.

The Notice of Public Hearing and Public Comment Period (“Public Notice”), advising the public of the availability of the Proposed CPA and the Draft PSD Permit and Draft PSD Fact Sheet, was published in The Boston Globe and The Salem News on Tuesday, September 10, 2013. The Public Notice was also published in the Environmental Monitor on Wednesday, September 11, 2013. MassDEP sent copies of the Public Notice to a number of individuals and organizations as a notice method reasonably calculated to give actual notice of the proposed permits to persons potentially affected by the proposed project and to elicit public participation. MassDEP also posted the Public Notice on its website, in addition to issuing a tweet and a press release regarding the availability of the Proposed CPA and the Draft PSD Permit and Draft PSD Fact Sheet.

The required Public Comment period commenced with the date of publication of the Public Notice. The Public Comment period, originally scheduled to end at 5:00 PM on October 11, 2013, was extended to 5:00PM on November 1, 2013. MassDEP announced the extension through a press release and a Revised Public Notice that was published on MassDEP’s website and in the Environmental Monitor on October 9, 2013. The Revised Public Notice was also sent to the individuals and organizations as a notice method reasonably calculated to give actual notice of the proposed permits to persons potentially affected by the proposed project and to elicit public participation. MassDEP also announced the extension at the Public Hearing held on Thursday, October 10, 2013, officially commencing at 7:12PM and ending at 9:12PM, at the Bentley Elementary School, 25 Memorial Drive, Salem, Massachusetts.

After the Public Hearing and the close of the Public Comment period, MassDEP conducted a public comment review and responded to all significant testimony and comments raised during the public review process as summarized in the enclosed Response to Comments document. A copy of the Response to Comments document is being sent to all individuals and organizations who participated in the public review process.

As you are aware, on October 10, 2013, the Energy Facilities Siting Board (EFSB) issued a Final Decision under Massachusetts General Laws, M.G.L. c. 164, Section 69J1/4 on Footprint’s Petition for Approval to Construct a Bulk Generating Facility in the City of Salem, Massachusetts (EFSB 12-2). In accordance with that statute, MassDEP may issue this Plan Approval and PSD Permit for the proposed Facility to be constructed and operated.

This letter and the enclosed documents can also be accessed electronically at:  
<http://www.mass.gov/eea/agencies/massdep/air/approvals/footprint.html>.

Should you have any questions concerning this matter, please contact Cosmo Buttarro by telephone at (978) 694-3281, or in writing at the letterhead address.

MassDEP letter re: Footprint Power Salem Harbor Development LP  
Plan Approval and Prevention of Significant Deterioration Permit  
Transmittal No. X254064, Application No. NE-12-022  
January 2014  
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Sincerely,

This final document copy is being provided to you electronically by the  
Department of Environmental Protection. A signed copy of this document  
is on file at the DEP office listed on the letterhead.

Cosmo Buttaro  
Environmental Engineer

Edward J. Braczyk  
Environmental Engineer

James E. Belsky  
Regional Permit Chief  
Bureau of Waste Prevention

Enclosures

cc: George Lipka, Tetra Tech, 160 Federal Street, 3<sup>rd</sup> Floor, Boston, MA 02110  
Lauren A. Liss, Rubin & Rudman LLP, 50 Rowes Wharf, Boston, MA 02110  
Board of Health, 120 Washington Street, 4<sup>th</sup> Floor, Salem, MA 01970  
Fire Headquarters, 48 Lafayette Street, Salem, MA 01970  
City Hall, 93 Washington Street, Salem, MA 01970  
Board of Health, 7 Widger Road, Marblehead, MA 01945  
Fire Headquarters, One Ocean Avenue, Marblehead, MA 01945  
Town Hall, 188 Washington Street, Marblehead, MA 01945  
Metropolitan Area Planning Council, 60 Temple Place, Boston, MA 02111  
Deirdre Buckley, MEPA, Executive Office of Energy and Environmental Affairs, 100 Cambridge Street,  
Suite 900, Boston, MA 02114  
John Ballam, Department of Energy Resources, 100 Cambridge Street, Suite 1020, Boston, MA 02114  
Department of Public Utilities, One South Station, Boston, MA 02110  
Robert J. Shea and Kathryn Sedor, Energy Facilities Siting Board, One South Station, Boston, MA 02110  
United States Environmental Protection Agency (EPA) – New England Regional Office,  
5 Post Office Square, Suite 100, Mail Code OEP05-2, Boston, Massachusetts 02109-3912  
Attn: Air Permits Program Manager  
EPA: Donald Dahl (e-copy)  
MassDEP/Boston: Karen Regas (e-copy), Yi Tian (e-copy), Madelyn Morris (e-copy)  
MassDEP/WERO: Marc Simpson (e-copy)  
MassDEP/CERO: Roseanna Stanley (e-copy)  
MassDEP/SERO: Thomas Cushing (e-copy)  
MassDEP/NERO: Marc Altobelli (e-copy & hard copy), Jim Belsky (e-copy), Ed Braczyk (e-copy),  
Mary Persky (hard copy), Cosmo Buttaro (hard copy), Susan Ruch (e-copy)  
Shanna Cleveland, Esq., on behalf of CLF and Ten Persons Group  
(per Motion for Mandatory Intervention, dated November 8, 2013)  
Copies are also being provided to persons who participated in the public hearing and comment